IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTORIA EVANOFF, as Administrator of : CIVIL ACTION

the ESTATE OF JOHN EVANOFF,

DECEASED : No. 5:23-cv-03417-JFL

Plaintiff,

.

VS.

MARSH USA, LLC,

:

THERESE PERRETTE, and

:

JOHN DOE DEFENDANTS # 1-2

:

Defendants.

DEFENDANTS' MOTION *IN LIMINE* TO EXCLUDE ANY CLAIM OR EVIDENCE OF ALLEGED PAIN AND SUFFERING OF DECEDENT

AND NOW, Defendants Marsh USA, LLC ("Marsh USA") and Therese Perrette (together, "Defendants"), by and through their undersigned counsel, Goldberg Segalla LLP, respectfully submit the within Motion *in Limine* to Exclude Any Claim or Evidence of Alleged Pain and Suffering of Decedent John Evanoff At Trial.

A Brief, Exhibits, and Proposed Order are being filed herewith and are incorporated herein by reference.

WHEREFORE, Defendants respectfully request that the Court enter Order, substantially in the form appended hereto, granting Defendants' Motion *in Limine* to Exclude Any Claim or Evidence of Alleged Pain and Suffering of Decedent John Evanoff At Trial.

Respectfully submitted,

Dated: April 9, 2024 GOLDBERG SEGALLA LLP

/s/ Michael P. Luongo

Michael P. Luongo, Esq. (PA I.D. No. 311948) Robert M. Hanlon, Esq. (PA I.D. No. 207899) Joseph Ross, Esq. (PA I.D. No. 318039) 1700 Market Street, Suite 1418 Philadelphia, PA 19103 T: 267.519.6852 F: 267.519.6801

mluongo@goldbergsegalla.com rhanlonjr@goldbergsegalla.com jross@goldbergsegalla.com

Attorneys for Defendants Marsh USA, LLC and Therese Perrette

CERTIFICATE OF NON-CONCURRENCE

I, Michael P. Luongo, Esq., hereby certify that I contacted counsel for Plaintiff regarding possible concurrence with Defendants' Motion *in Limine* and that Plaintiff's counsel did not concur with Defendants' Motion.

s/ Michael Luongo
Michael P. Luongo, Esq.

Dated: April 9, 2024

CERTIFICATE OF SERVICE

I, Michael P. Luongo, Esq., hereby certify that a true and correct copy of the forgoing Motion *in Limine* was served on all counsel of record via ECF on the date below.

<u>s/ Michael Luongo</u> Michael P. Luongo, Esq.

Dated: April 9, 2024